

BEFORE THE METRO COUNCIL

FOR THE PURPOSE OF ANNEXING TO THE)	ORDINANCE NO. 16-1374
METRO DISTRICT BOUNDARY)	
APPROXIMATELY 93.51 ACRES LOCATED)	Introduced by Chief Operating Officer
WEST OF NW KAISER ROAD AND NORTH OF)	Martha J. Bennett with the Concurrence
NW BRUGGER ROAD IN THE NORTH)	of Council President Tom Hughes
BETHANY AREA OF WASHINGTON COUNTY)	

WHEREAS, West Hills Development and Noyes Development Group have submitted complete applications for annexation of a combined 93.51 acres ("the territory") located west of NW Kaiser Road and north of NW Brugger Road in the North Bethany area to the Metro District; and

WHEREAS, the Metro Council added the North Bethany area to the UGB, including the territory, by Ordinance No. 02-987A on December 5, 2002; and

WHEREAS, Title 11 (Planning for New Urban Areas) of the Urban Growth Management Functional Plan requires annexation to the district prior to application of land use regulations intended to allow urbanization of the territory; and

WHEREAS, Metro has received consent to the annexation from the owners of the land in the territory; and

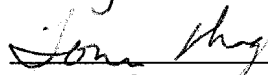
WHEREAS, the proposed annexation complies with Metro Code 3.09.070; and

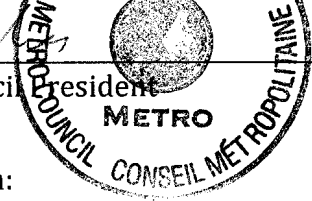
WHEREAS, the Council held a public hearing on the proposed amendment on May 5, 2016; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:


1. The Metro District Boundary Map is hereby amended, as indicated in Exhibit A, attached and incorporated into this ordinance.
2. The proposed annexation meets the criteria in section 3.09.070 of the Metro Code, as demonstrated in the Staff Report dated May 14, 2016, attached and incorporated into this ordinance.

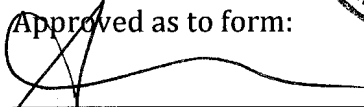
ADOPTED by the Metro Council this 26 day of May 2016.


 Tom Hughes, Council President



Attest:


 Alexandra Eldridge, Recording Secretary

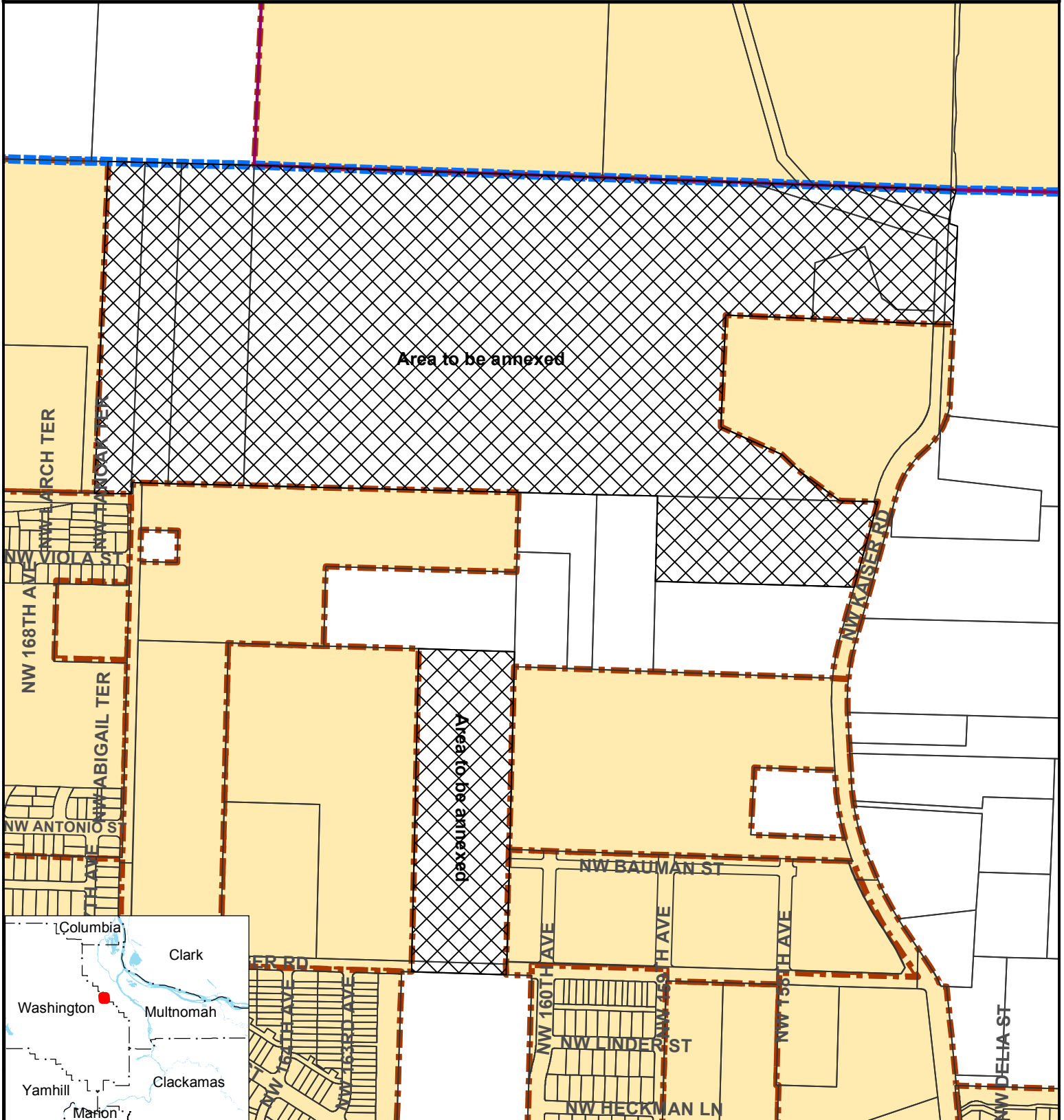
Approved as to form:

 Alison R. Kean, Metro Attorney

Proposal No. AN-0216





1N1W17, 1N1W18

Annexation to the Metro District Boundary

Washington County



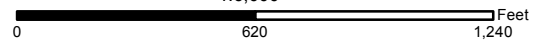
Research Center
 600 NE Grand Ave
 Portland, OR 97232-2736
 (503) 797-1742
<http://www.oregonmetro.gov/drc>

-  Area to be annexed
-  Taxlots
-  Urban growth boundary
-  Metro District Boundary

Proposal No. AN-0216 Metro District Boundary



1:6,000



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STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 16-1374, FOR THE PURPOSE OF ANNEXING TO THE METRO BOUNDARY APPROXIMATELY 93.51 ACRES LOCATED WEST OF NW KAISER ROAD AND NORTH OF NW BRUGGER ROAD IN THE NORTH BETHANY AREA OF WASHINGTON COUNTY

Date: May 14, 2016

Prepared by: Tim O'Brien,
Principal Regional Planner
Ext. 1840

BACKGROUND

CASE: AN-0216, Annexation to Metro District Boundary

PETITIONERS:	West Hills Development 735 SW 158 th Avenue Beaverton, OR 97006	Noyes Development Group 16305 NW Bethany Ct. #101 Beaverton, OR 97006
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PROPOSAL: West Hills Development proposes to annex one parcel (10.17 acres) located at 16125 NW Brugger Road and Noyes Development Group proposes to annex six parcels west of NW Kaiser Road and north of NW Brugger Road totaling 83.34 acres to the Metro Jurisdictional Boundary. The applicants are in the process of annexing the subject properties to the necessary service districts in Washington County.

LOCATION: The West Hills Development parcel is located at 16125 NW Brugger Road. The Noyes Development Group parcels are located west of NW Kaiser Road and north of NW Brugger Road. A map of the proposed annexation areas can be found in Attachment 1.

ZONING: The properties are zoned for residential use (R6 NB, R9 NB, R15 NB & R24 NB) and institutional use (INST NB) by Washington County.

The land was added to the UGB in 2002 and is part of the North Bethany Subarea Plan that was adopted by Washington County. The land must be annexed into the Metro District for urbanization to occur.

APPLICABLE REVIEW CRITERIA

The criteria for an expedited annexation to the Metro District Boundary are contained in Metro Code Section 3.09.070.

3.09.070 Changes to Metro's Boundary

(E) The following criteria shall apply in lieu of the criteria set forth in subsection (d) of section 3.09.050. The Metro Council's final decision on a boundary change shall include findings and conclusions to demonstrate that:

- 1. The affected territory lies within the UGB;*

Staff Response:

The subject parcels were brought into the UGB in 2002 through the Metro Council's adoption of Ordinance No. 02-987A.

2. *The territory is subject to measures that prevent urbanization until the territory is annexed to a city or to service districts that will provide necessary urban services; and*

Staff Response:

The conditions of approval for Ordinance No. 02-987A include a requirement that Washington County apply interim protection measures for areas added to the UGB as outlined in Urban Growth Management Functional Plan Title 11: Planning for New Urban Areas. Title 11 requires that new urban areas be annexed into the Metro District Boundary prior to urbanization of the area. Washington County also requires the land to be annexed into the appropriate sanitary sewer, water, park and road service districts prior to urbanization occurring, which the applicants are in the process of completing. These measures ensured that urbanization would occur only after annexation to the necessary service districts is completed.

3. *The proposed change is consistent with any applicable cooperative or urban service agreements adopted pursuant to ORS Chapter 195 and any concept plan.*

Staff Response:

The property proposed for annexation is part of Washington County's North Bethany County Service District, established by the County Board of Commissioners on June 7, 2011. The proposed annexation is consistent with that agreement and is required by Washington County as part of a land use application. The inclusion of the property within the Metro District is consistent with all applicable plans.

ANALYSIS/INFORMATION

Known Opposition: There is no known opposition to this application.

Legal Antecedents: Metro Code 3.09.070 allows for annexation to the Metro District boundary.

Anticipated Effects: This amendment will add approximately 93.51 acres to the Metro District. The land is currently within the UGB in unincorporated Washington County. Approval of this request will allow for the urbanization of the parcels to occur consistent with the North Bethany Subarea Plan.

Budget Impacts: The applicants were required to file an application fee to cover all costs of processing this annexation request, thus there is no budget impact.

RECOMMENDED ACTION

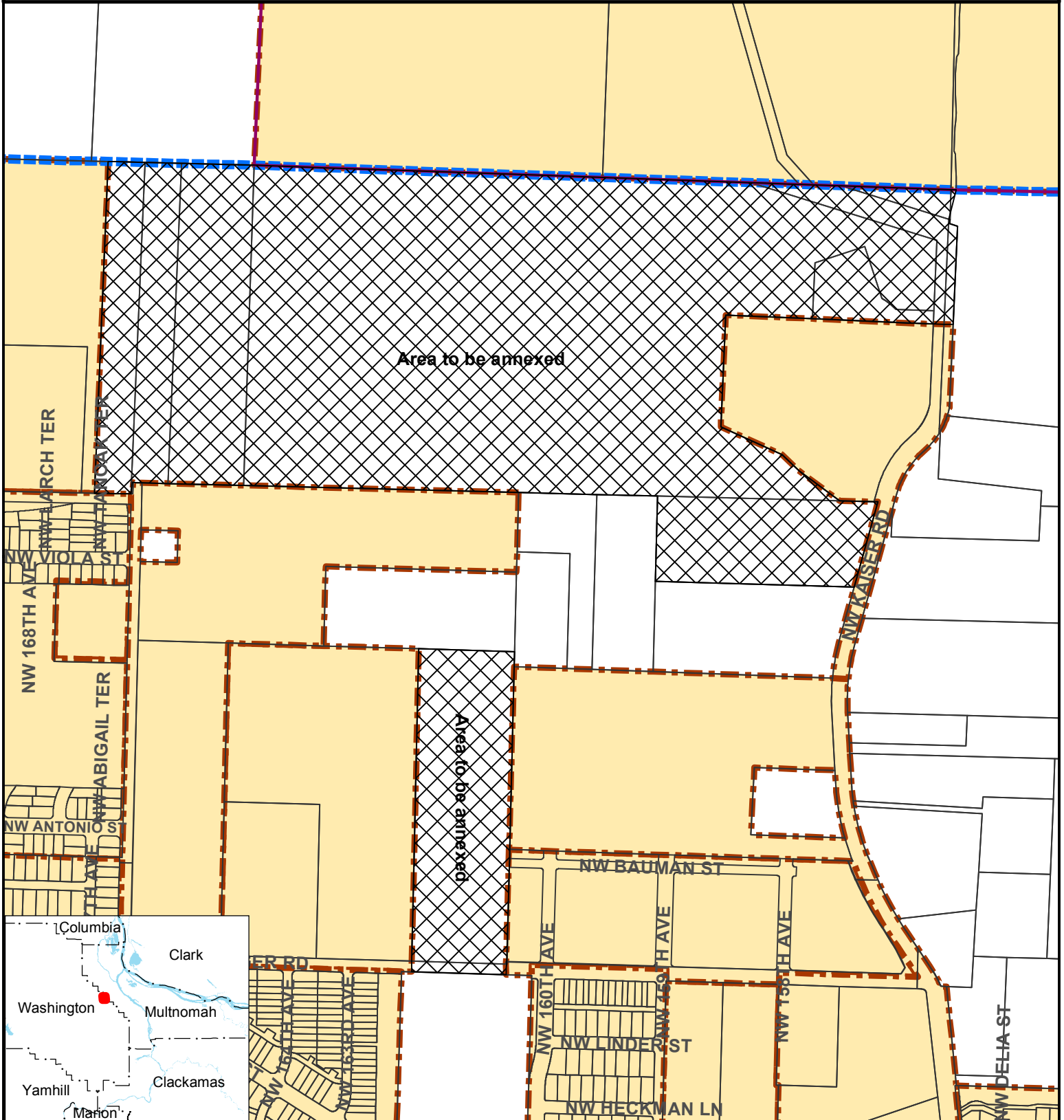
Staff recommends adoption of Ordinance No. 16-1374.

Proposal No. AN-0216





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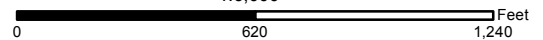
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